

Scott County Board of Supervisors

January 26, 2006; 5:30 p.m.

The Board of Supervisors met pursuant to adjournment with all members present.

The Board recited the Pledge of Allegiance.

Moved by Hancock, seconded by Gallin, approval of the minutes of the January 12, 20096 Regular Board Meeting and the January 24, 2006 Closed Session. All Ayes.

Moved by Hancock, seconded by Adamson, the approval of the third and final reading of Ordinance #06-01 to amend Chapter 13-34 of the Scott County Code relative to designated speed limits on Scott County Secondary Roads. Roll Call: Ayes - Gallin, Hancock, Minard, Sunderbruch, Adamson.

Moved by Hancock, seconded by Sunderbruch, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the Scott County Engineer is authorized to purchase the necessary right-of-way for construction and maintenance during the calendar year 2006, using the values computed in accord with the following schedule of allowances:

SECTION – AGRICULTURAL LAND:

For land by easement or deed: 5.45 times the assessed valuation per acre as it currently exists at the time an offer is made.

SECTION II – RESIDENTIAL, COMMERCIAL OR INDUSTRIAL LAND:

For land by easement or deed, where such land is classified by the assessor as residential, commercial or industrial for zoning purposes – generally the appraisal method will be used.

SECTION III – FEDERALLY FUNDED PROJECTS, FARM-TO-MARKET FUNDED PROJECTS, AND SPECIAL PURCHASES – APPRAISAL METHOD:

This section will only be utilized when the following conditions are determined to exist:

1. Where any buildings or special improvements or appurtenances exist on the parcel being taken.
2. Where there are definable damages to the remaining property.
3. Where federal funds or farm-to-market funds are involved requiring the complete appraisal method.
4. Where the parcel being taken is not representative of the total piece.

5. For properties as noted under Section II.

The County Engineer will seek two or more quotes for the service of an appraiser for the review by the Board of Supervisors prior to employment of an appraiser. The appraisal document will serve as the basis for purchase of the parcel.

SECTION IV – BORROW:

For land disturbed by reason of borrow or backslope: The value shall be based on the price per cubic yard of material taken – (\$0.30/cu.yd.) Agreement will also be made for the restoration of the area disturbed for borrow or backslope, either by removing and replacing 8 inches of top soil or by other appropriate measures, in accordance with Section 314.12, 1995 Code of Iowa. Compensation for crop loss or other land use loss in borrow or backslope areas will be determined based on the rental value for similar land in the area. If crops have been planted, payment will be made to cover tillage cost, seed cost and fertilizer cost based on the pro-rated actual cost incurred. If the crop is harvested before the area is disturbed there will be no compensation for crop loss.

SECTION V – WATER LINES:

For existing privately owned water lines crossing the roadway: The total cost of any alterations required on the line within the new or existing right-of-way will be at the expense of the County.

SECTION VI – FENCES:

For the relocation of functional fences made necessary by the reconstruction of an existing roadway, a new fence will be allowed for all the same type as the existing right-of-way fence. Allowances are \$25.00 per rod for woven wire, \$16.00 per rod for barbed wire. If no fence exists, no fence payment will be allowed. The length for payment will be the footage required to fence the new right-of-way. For relocating cross fences to the new right-of-way, the length of fence required to be moved shall be compensated at the rate for the same type of right-of-way fence above. For angle points introduced into the fence line by the design of the roadway, an allowance of \$166.00 for a two-post panel and \$260.00 for a three-post panel will be made.

NOTE: All salvage from the existing fence shall become the property of the property owner. Payment for fencing will be withheld until all existing fence has been removed and cleared from the right-of-way. If the fence or any part thereof is not removed at the time of construction, it will be removed by Scott County or its contractor and a penalty of \$3.00 per rod assessed and deducted from the fence payment.

For the removal of non-functional fences made necessary for the reconstruction of an existing roadway, the County will compensate the owner for his labor and equipment at the following rates:

Woven Wire -	\$10.00 per rod
Barbed Wire -	\$ 8.00 per rod

NOTE: All salvage from existing fence shall become the property of the owner. Payment for removal of non-functional fences will be withheld until all existing fences have been removed and cleared from the right-of-way. If fence or any part thereof is not removed at time of construction, it will be removed by Scott County or its contractor and the owner will forfeit any payment tendered for the fence.

DEFINITIONS:

Functional: In good state of repair and capable of containing livestock for which the fence was constructed.

Non-functional: In disrepair and incapable of containing the livestock for which the fence was constructed.

Compensation for relocating fences of a type other than those described shall be negotiated.

SECTION VII – TREES AND SHRUBS:

For trees and ornamental shrubs which must be removed from the residence areas: compensation will be made on basis of appraisal by an arborist or by negotiation.

SECTION VIII – INCIDENTAL EXPENSES:

A lump sum of \$50.00, which shall compensate the owner for any out-of-pocket expense, incurred as a result of this transaction; i.e., abstracting fees, postage, telephone, etc.

SECTION IX – EASEMENT PRIORITY AGREEMENTS:

Scott County will pay all costs assessed by mortgage holders in executing “Easement Priority Agreements” for the easements obtained under the terms of this policy.

SECTION X: PASSED AND APPROVED this Twenty-Sixth day of January 2006, by the Scott County Board of Supervisors.

SECTION XI: This resolution shall take effect immediately.

Moved by Hancock, seconded by Sunderbruch, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That Nicholas Ct, and South Jacob Drive in Dexter Acres Fifth Addition have been constructed in accordance with the plans, specifications and Scott County requirements. 2) That the developer has requested that the streets be taken into the county road system of Scott County and has supplied the required maintenance bond. 3) That the following listed streets be accepted and taken into the county secondary road system and maintained by the Secondary Road Department.

Nicholas Ct            1055 LFT = 0.200 Mi.  
South Jacob Drive    815 LFT = 0.154 Mi.  
4) This resolution shall take effect immediately.

Moved by Hancock, seconded by Gallin, the motion to open a public hearing relative to the transfer of tax deed properties located at 1016 Tremont, 822 Gaines St., and 717 W. 8th St to Habitat for Humanity and Gateway Redevelopment Group. All Ayes.

Jack Haberman, President of Gateway Redevelopment Group, and Andy Baucus, Vice-President of local Habitat for Humanity, addressed the Board and thanked them for their efforts.

Moved by Hancock, seconded by Adamson, the motion to close the public hearing. All Ayes.

Moved by Hancock, seconded by Gallin, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) County policy states that a community based non-profit organization may request transfer of a tax deed property located within the city if such transfer will benefit a community program or public good. 2) Habitat for Humanity has requested the transfer of the tax deed for Parcel F0037-13 located at 1016 Tremont to allow for improvement of the neighborhood. A Public Hearing was held on January 12, 2006. 3) Gateway Redevelopment Group has requested the transfer of tax deed Parcels G0045-30 and G0045-43 located at 717 W 8<sup>th</sup> St., and 822 Gaines St., respectively to allow improvement of the neighborhood. A Public Hearing was held on January 12, 2006. 4) The Chairman is authorized to sign the Quit Claim Deeds. 5) This resolution shall take effect immediately.

Moved by Gallin, seconded by Adamson, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That said Board of Supervisors does hereby recognize the retirement of **LINWOOD BECKETT** and conveys its appreciation for 10 years of faithful service to the Community Services Department. 2) This resolution shall take effect immediately.

Moved by Gallin, seconded by Sunderbruch, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) The hiring of Mr. Rob Fox for the position of Network Systems Administrator for the Information Technology Department at a starting wage of \$44,000/yr is hereby approved. 2) This resolution shall take effect immediately.

Moved by Gallin, seconded by Adamson, the resolution approving personnel actions as presented by the County Administrator. All Ayes.

**NEW HIRES**

Employee/Department	Position	Salary	Effective Date	Remarks
David Bonde Juvenile Detention	Detention Youth Supervisor P/T	\$14.17/hr	01/09/06	Part-time roster
Ed Mead Juvenile Detention	Detention Youth Supervisor P/T	\$14.17/hr	01/09/06	Part-time roster
Frank Sisco Juvenile Detention	Detention Youth Supervisor P/T	\$14.17/hr	01/09/06	Part-time roster
Richard Shepard II Juvenile Detention	Detention Youth Supervisor P/T	\$14.17/hr	01/12/06	Part-time roster

**TRANSFERS AND PROMOTIONS**

Employee/Department	New Position	Salary Change	Effective Date	Remarks
Kevin Jorgensen Sheriff/Jail	Correction Officer	\$28,288 - \$31,658	02/08/06	Promo from Trainee Status

**LEAVES OF ABSENCE/OTHER**

Employee/Department	Position	Effective Date	Remarks
None			

**BARGAINING UNIT STEP INCREASES**

Employee/Department	Position	Salary Change	Wage Step	Effective Date
James VanVlymen Sheriff	Deputy Sheriff	\$39,749 - \$41,309	Step 3	02/02/06
Thomas Gibbs Sheriff	Deputy Sheriff	\$39,749 - \$41,309	Step 3	02/09/06

**MERIT INCREASES**

Employee/Department	Position	Salary Change	% of Midpoint	Effective Date
Jim Connell Sheriff	Bailiff	\$32,857 - \$34,007 (3.5%)	96.991%	12/29/05
Rhonda Duchesneau Sheriff/Jail	Food Service Mananger	\$47,413 - \$48,361 (2.0%)	110.267%	01/01/06

\* First or second review following appointment or promotion. Salary adjusted 5% if not above 95% of midpoint & employee receives rating of 3 or better.

**BONUS**

Employee/Department	Position	Effective Date
Kevin Broders Sheriff/Jail	Corrections Sergeant	01/01/06

**SEPARATIONS**

Employee/Department	Position	Hire Date	Separation Date	Reason for Separation
None				

**REQUEST TO FILL VACANCIES**

Position/Department	Position Status	Starting Date	Previous Incumbent	Recommendation
None				

**TUITION REQUESTS**

Employee/Department	Position	Course of Study	Course dates(s)
Alma Bakoylis County Attorney	Clerk II	Communication Skills Scott Community College	01/23/06 – 03/17/06
Janet Kimmel Community Services	Office Manager	Business Systems Analysis Western Illinois University	01/18/06 – 05/10/06

Chairman Minard presented Supervisor Adamson with a certificate of Appreciation from Bi-State Regional Commission for his service on the Finance and Personnel Committee for two years.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That this Board meet on the 9<sup>th</sup> day of February, 2006, at the Scott County Administrative Center, Davenport, Iowa, at 5:30 o'clock p.m., at which time and place a public hearing will be held on the proposal to lease the Leased Property for a term not exceeding forty years. After the public hearing, the Board may make a final determination on the proposal to lease the Leased Property as aforesaid. 2) That notice of the time when and place where the said hearing will be held shall be given by publication at least once and not less than four nor more than twenty days before the hearing in a newspaper published at least once weekly and of general circulation in the County. The notice shall be in substantially the following form:

**NOTICE OF PUBLIC HEARING ON THE PROPOSAL OF SCOTT COUNTY, IOWA TO LEASE CERTAIN REAL PROPERTY FOR A TERM NOT EXCEEDING FORTY YEARS**

Notice is hereby given that on the 26<sup>th</sup> day of January, 2006 the Board of Supervisors of Scott County, Iowa adopted a resolution (the "Resolution") setting forth its proposal to lease the real estate described below (the "Land") and certain buildings, facilities, structures, equipment and improvements located thereon (the "Existing Facilities" and, together with the Land, the "Leased Property") to Scott County Public Safety Authority (the "Authority") for a term of not to exceed forty years pursuant to a ground lease (the "Ground Lease") between the County and the Authority in connection with the Authority's financing of the renovation of the Existing Facilities and the construction of additions to the Existing Facilities (the "Project" and the Leased Property and the Project and any repairs, additions, modifications or replacements thereof being herein referred to as the "Demised Premises"). Pursuant to a Lease Purchase Agreement between the County and the Authority, the Authority will lease the Demised

Premises for use by the County and the City of Davenport, Iowa for public purposes. The Lease Property will be leased to the Authority for a rental payment of one dollar. A copy of the Resolution and the Ground Lease are on file with the County Auditor and available for public inspection.

The Leased Property is described as follows:

Bolivar Square also known as Court House Square, as designated on the plat for the Original Town of Davenport recorded at 27 Town Lot Deeds 710 in the office of the Recorder of Scott County, Iowa.

Except that tract North of the following described line:

Commencing at the Northeast corner of tract conveyed by the Chicago, Rock Island and Pacific Railroad Company by deed dated September 12, 1967 and recorded at 310 Deeds 41; thence westerly along the north line of said tract to the Northwest corner of said tract and long the current southerly railroad right of way; thence proceeding westerly along the southerly railroad right of way to the Northeast corner of the tract conveyed by deed dated June 16, 1965 and recorded at 287 Deeds 337 in the office of the Recorder of Scott County, Iowa; thence westerly to the Northwest corner of said tract and the point of ending for said line. Said line intended to describe the South line of Railroad land.

AND

Part of the Southeast Quarter of Section 26, Township 78 North, Range 3 East of the 5<sup>th</sup> P.M. and Part of the Northeast Quarter of Section 35, Township 78 North, Range 3 East of the 5<sup>th</sup> P.M. and being more particularly described as follows: Commencing at the Southeast corner of Block 23, Original Town Addition, City of Davenport, Iowa; thence northerly on and along the East line of Lots 1,2,3, and part of Lot 4 of said Block 22 a distance of 300 feet, more or less, to the South line of the Chicago, Rock Island & Pacific Railroad Company property; thence easterly on and along the South line of the said Railroad Company property a distance of 80 feet, more or less, to the West line of Court House Square, said Original Town Addition; thence southerly on and along the said West line of Court House Square a distance of 300 feet, more or less, to the South line of said Court House Square; thence westerly on and along the extended South line of said Block 22 distance of 80 feet, more or less, to the Southeast corner of said Block 22, said area containing 24,000 square feet, more or less;

Reserving, however, unto any public utility and the City of Davenport, all right, title and interest such utility or the City may now have in any public service facility now located in the foregoing described real estate, and a right of way and easement for such public utility, and also reserving the right to maintain, renew, enlarge, extend or reconstruct any and all such public service facilities;

AND

Parts of Lots 1,2,3 and 4 in Block 22 of the Original Town (now City) of Davenport, Iowa, more particularly described as follows: Commencing at a point 20 feet South of the Northeast corner of said Lot 4, thence South along the west line of Scott Street, as now situated to the Southeast corner of said Lot 1, thence West along the north line of Fourth Street as now situated, 140 feet, thence North 160 feet, thence West 10 feet, thence North 140 feet, thence East 150 feet to the points of beginning;

EXCEPT

The South 140.5 feet of the East 251.4 feet of Block 22.

The Board of Supervisors of Scott, Iowa will meet on the 9<sup>th</sup> day of February, 2006, at Scott County Administrative Center, 428 Western Avenue, Davenport, Iowa, at 5:30 o'clock p.m. for the purpose of holding a public hearing on the proposal to lease the Leased Property to the Authority for a term not exceeding forty years as set forth in the Resolution. At such time and place, the Board of Supervisors will receive any oral or written objections from any resident or property owner of the County. After such hearing, the Board of Supervisors may make a final determination on the proposal to lease the Leased Property to the Authority by resolution.

By order of the Board of Supervisors of Scott County, Iowa. County Auditor

3) That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Passed and approved this 26<sup>th</sup> day of January, 2006

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Chairperson

Attest:

\_\_\_\_\_  
County Auditor

\*\*\*Other Business\*\*\*

Upon motion and vote, the meeting adjourned.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the Board hereby approves application for a grant in the amount of \$211,363.00 from the Department of Justice (JAG) Program in the Attorney's Office. 2) That, if accepted, the Board approves receipt of such funding. 3) That the



Chair is approved to sign such application. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Gallin, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) All County departmental FY07 budget requests and all authorized agency FY07 funding requests are hereby authorized for filing and publication as the budget estimate for FY07. 2) The Board of Supervisors hereby fixes the time and place for a public hearing on said budget estimate for Thursday, February 23, 2006 at 5:30 p.m. in the Board Room at the Scott County Administrative Center. 3) The Scott County Auditor is hereby directed to publish the notice and estimate summary as required by law. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Adamson, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the following appointments to the Scott County Condemnation Appraisal Jury for a one (1) year term expiring on December 31, 2006, are hereby approved:

	<u>BANKERS</u>	<u>CITY</u>	<u>FARMERS</u>	<u>REAL ESTATE</u>
GALLIN:	Steven Suiter Kenneth Tank Richard Blanche	Robert Spring Ron Lieby Richard Glover	Jack Schinckel Eugene Newell Richard Golinghorst	Rollie Schneckloth Donald Marple Caroline Ruhl
ADAMSON:	Tony Knobbe Thom Nelson Tim Oetamann	Jean McGee Paul Malik Leone Bredbeck	Mary Frick Jerry Mohr Harlan Meier	Paul Carroll Mary Ann Carstens Hart Bondi
HANCOCK:	Rod Christie Mary Kellenberger Jim Tiedje	Ann Blough John Herr Pam Mettee	Robert Petersen Gene Westphal Gary Mehrens	Jeff Weindruch Robert Schwartz Tom Williams
MINARD:	John Nagle John Neuberger John McFedries	Bruce Bleke Don Judge Chet Robbins	Jim Schneckloth Otto Stender Keith Steward	Dick McNamara Mary Dircks Randy Peters
SUNDERBRUCH:	Victor J. Quinn Susan Daley Tom Andresen	Oscar Hawley Duncombe Brooke Connie Freund	Joni Dittmer Jerry Vollbeer Dale Paustian	Michael Krach Chuck Messmer Ben Niedert

2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, the resolution approving warrants numbered 187516 through 187913 as submitted and prepared for payment by the County Auditor in the total amount of \$1,651,868.46 and the purchase card transactions in the total amount of \$43,187.56. Roll Call: Ayes - Gallin, Hancock, Minard, Sunderbruch, Adamson.

Moved by Sunderbruch, seconded by Hancock, the Board adjourn until 8:00 a.m., Tuesday, February 7, 2006, subject to prior call by the Chairman. All Ayes.

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Larry Minard, Chairman of the Board  
Scott County Board of Supervisors

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ATTEST: Karen L. Fitzsimmons  
Scott County Auditor